



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,497	01/12/2001	Gaurav Mehra	360322000200	2477
20872	7590	02/08/2005		
MORRISON & FOERSTER LLP 425 MARKET STREET SAN FRANCISCO, CA 94105-2482			EXAMINER JUNG, DAVID YIUK	
			ART UNIT 2134	PAPER NUMBER
DATE MAILED: 02/08/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/759,497

Applicant(s)

MEHRA

Examiner

David Y Jung

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Art Unit: 2134

DETAILED ACTION

PREVIOUS "OFFICE ACTION" SENT IN ERROR

The previous paper from PTO was sent in error. The previous paper was not an Office Action regarding this case. Therefore, a new paper (the Office Action regarding this case – and actually meant to have been sent instead of the previous paper) is hereby sent. Obviously, this is the Office Action that was written before 6/30/2004 and is the Office Action that was intended to be mailed along with other papers on 6/30/2004.

CLAIMS PRESENTED

Claims 1-50 are presented.

CLAIM REJECTIONS

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conti et al. (GB 2,253,500, cited by Applicant, hereinafter also referred as "Conti").

Art Unit: 2134

Regarding claim 1, Conti teaches "A computer implemented method for automated processing of applications by a business applications server comprising the acts of receiving a ... from a first server (page 10, line 5 to page 17, line 22, as cited by Applicant, i.e. encoded applications command routines);

translating a content of the ... into a format for processing by the business applications server (page 10, line 5 to page 17, line 22, as cited by Applicant, i.e. encoded applications command routines);

using a set of metadata to define properties and behavior of the translated content of the ... (page 10, line 5 to page 17, line 22, as cited by Applicant, i.e. metatables); and

processing the translated content of the ... using a code path defined by a persistence framework (page 10, line 5 to page 17, line 22, as cited by Applicant, i.e. linked in the odb process)."

These passages of Conti are not explicit regarding "communication."

It was well known in the art to have such types of "communication" for the motivation of easier exchange of information.

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to have "communication" for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Regarding claims 2,3,4,5, these claims refer to such API's that are based on Saba format. Because of partnerships with database, Internet, Java, XML, and other technology providers that create the core technology upon which Saba

Art Unit: 2134

products are all built, such API's are well known in the art for the motivation of compatibility.

Regarding claims 6-16, these claims refer to the various technologies upon which Saba products are all built. These technologies are well known in the art for the motivation of compatibility.

Regarding claim 17, Conti teaches "An apparatus for implementing a business application comprising:

a business application server adapted to receive an electronic ... from a first server (page 10, line 5 to page 17, line 22, as cited by Applicant, i.e. encoded applications command routines);

a translator coupled to the business application server to convert a content of the ... into a format for processing by the business applications server (page 10, line 5 to page 17, line 22, as cited by Applicant, i.e. encoded applications command routines);

a first processor mechanism in the business applications server to use a set of metadata to define properties and behavior of the converted content of the ... (page 10, line 5 to page 17, line 22, as cited by Applicant, i.e. metatables); and

a second processor mechanism in the business applications server to process the converted content of the ... using a code path defined by a persistence framework (page 10, line 5 to page 17, line 22, as cited by Applicant, i.e. linked in the odb process).

These passages of Conti are not explicit regarding "communication."

Art Unit: 2134

It was well known in the art to have such types of "communication" for the motivation of easier exchange of information.

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to have "communication" for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Regarding claims 18-32, these claims are analogs to claims 2-16. For the reasons noted in the rejections of claims 2-16, these claims are not patentable.

Regarding claim 33, Conti teaches ". A computer program product stored on a computed readable medium, comprising;

a first computer readable program mechanism for receiving a ... from a first server (page 10, line 5 to page 17, line 22, as cited by Applicant, i.e. encoded applications command routines);

a second computer readable program mechanism for translating a content of the ... into a format for processing by a business applications server (page 10, line 5 to page 17, line 22, as cited by Applicant, i.e. encoded applications command routines);

a third computer readable code mechanism for using a set of metadata to 30 define properties and behavior of the translated content of the ... (page 10, line 5 to page 17, line 22, as cited by Applicant, i.e. metatables); and

a fourth computer readable code mechanism for processing the translated content of the ... using a code path defined by a persistence framework (page 10, line 5 to page 17, line 22, as cited by Applicant, i.e. linked in the odb process)."

Art Unit: 2134

These passages of Conti are not explicit regarding "communication."

It was well known in the art to have such types of "communication" for the motivation of easier exchange of information.

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to have "communication" for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Regarding claims 34-48, these claims are analogs to claims 2-16. For the reasons noted in the rejections of claims 2-16, these claims are not patentable.

Regarding claim 49, Conti teaches "A computer implemented method for automated processing of applications by a business applications server comprising the acts of:

receiving a ... from a first server (page 10, line 5 to page 17, line 22, as cited by Applicant, i.e. encoded applications command routines);

translating a content of the ... into a format for processing by the business applications server (page 10, line 5 to page 17, line 22, as cited by Applicant, i.e. encoded applications command routines);

using a set of metadata to define properties and behavior of the translated content of the ... (page 10, line 5 to page 17, line 22, as cited by Applicant, i.e. metatables); and

processing the translated content of the ... using a code path defined by a persistence framework, wherein persistence code is itself part 15 of the set of metadata (page 10, line 5 to page 17, line 22, as cited by Applicant, i.e. linked in the odb process)."

Art Unit: 2134

These passages of Conti are not explicit regarding "communication."

It was well known in the art to have such types of "communication" for the motivation of easier exchange of information.

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to have "communication" for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Regarding claim 50, this claim is an analog to claim 16. For the reasons noted in the rejection of claim 16, these claims is not patentable.

Conclusion

The art made of record and not relied upon is considered pertinent to applicant's disclosure. The art disclosed general background.

Points of Contact

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Art Unit: 2134

Washington, D.C. 20231

or faxed to:

(703) 746-7239, (for formal communications intended for entry)

Or:

(703) 746-5606 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

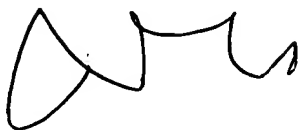
Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (571) 272-3836 or Greg Morse whose telephone number is (571) 272-3838.

David Jung

A handwritten signature in black ink, appearing to be 'David Jung', with a stylized, flowing script.

Art Unit: 2134

Patent Examiner

A handwritten signature in black ink, consisting of a large, stylized capital 'A' followed by a series of connected loops and a final upward stroke.

2005-02-04